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Docket No. 2334 DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gene Stellan, et al  
Serial No.: 09/981,178 Examiner: Matthew F. DeSanto  
Filed: 10/16/2001 Art Unit: 3763  
For: **TROCAR SYSTEM AND METHOD OF USE**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Mail Stop Amendment

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**RESPONSE**

Sir:

In response to the Office Action mailed December 15, 2005 in connection with the above referenced application, please consider the following remarks.

**REMARKS**

Applicants elect to prosecute the claims of Group I (claims 2-10 and 22-42 which are drawn to trocar with a cannula, obturator, a release mechanism, shield and a latch) with traverse. The remaining claims consisting of Group II (claims 43 and 44 which are drawn to a method of inserting a cannula and obturator into a patient) are canceled without prejudice to continue prosecution of the subject matter in a subsequent application.

Therefore, all claims of Group I now pending in this application, namely claims 2-10 and 22-42, are now in condition for allowance. Accordingly, early and favorable consideration of this application is respectfully requested. Should the Examiner believe that a telephone or personal interview may facilitate resolution of any remaining matters, the Examiner is respectfully requested to contact Applicant's undersigned attorney at the telephone number indicated below.